

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re DYNAMIC RANDOM ACCESS
MEMORY (DRAM) ANTITRUST
LITIGATION,

This Document Relates to:

THE STATE OF CALIFORNIA, ET AL.,

Plaintiffs,

v.

INFINEON TECHNOLOGIES AG, ET AL.,

Defendants.

Master File No. M-02-01486 PJH (JCS)
MDL No. 1486

Case No. C-06-04333 PJH (JCS)

**ORDER FOLLOWING APRIL 25, 2008
DISCOVERY CONFERENCE**

STATE OF NEW YORK,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., ET AL.,

Defendants.

Case No. C-06-06436 PJH (JCS)

The Court held a further discovery conference on April 25, 2008. The following counsel appeared: Emilio Varanini (State of California), Timothy Nord (State of Illinois), Lizabeth Leeds (State of Florida), Eli Friedman (State of Florida), Nancy Bonnell (State of Arizona), Richard Schwartz (State of New York), Steven Bergman (Hynix), Joshua Hess (Micron), Gabriel Rubin (Elpida), Eva Chang (NEC Electronics Amercia), Jane Chang (Hynix), David Brownstein (Mosel), and Na'll Benjamin (Nanya).

1 For the reasons stated on the record and good cause appearing, IT IS HEREBY ORDERED
2 as follows:

- 3 1. In response to Interrogatory Nos. 20 and 21 propounded by Defendants, Plaintiff
4 States with central purchasing agencies shall identify (in addition to the other
5 information disclosed), with respect to those central purchasing agencies, specific
6 steps taken to preserve documents relevant to this case, and the dates on which those
7 steps were taken. In responding to Interrogatory Nos. 20 and 21, Plaintiffs shall
8 conduct a diligent investigation, and verifications attesting to this diligence shall be
9 provided. Those states with central purchasing agencies that have identified written
10 document retention policies during the relevant period shall provide copies of those
11 document retention policies to Defendants.
- 12 2. With respect to discovery by Defendants on New York direct assigned claims, the
13 parties shall jointly propose a discovery plan in advance of the next discovery
14 conference in this case.
- 15 3. The parties have raised an issue with respect to the number of documents collected
16 from the entities sampled during Plaintiffs' damages survey. In the future, Plaintiffs
17 shall collect from the surveyed entities all of the documents that the surveyed entities
18 collect and use to fill out the questionnaires in Plaintiffs' damages survey.
19 Approximately 100 entities have already filled out Phase 2 of the survey, and as a
20 result have already collected and logged information from various documents. With
21 respect to these entities, Plaintiff States shall inquire as to whether those entities have
22 segregated, and still retain in a segregated location, the documents so collected. If
23 they have been segregated and retained, Plaintiff States shall request production of all
24 of the collected documents. If they have not been so segregated and retained,
25 Plaintiff States shall inquire as to the feasibility of re-collecting all of the documents
26 used to fill out Phase 2 of the survey and report to the Court at the next discovery
27 conference.
28

- 1 4. A further discovery conference is scheduled for **June 6, 2008**. A joint updated
2 discovery statement shall be filed by **May 30, 2008, at 1:30 p.m.**

3 IT IS SO ORDERED.

4
5 Dated: April 30, 2008


6 JOSEPH C. SPERO
7 United States Magistrate Judge